

REPLY TO  
ATTENTION OF:

DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, ALASKA  
REGULATORY DIVISION  
P.O. BOX 6898  
ELMENDORF AFB, ALASKA 99506-0898

APR 17 2008

Regulatory Division  
POA-2006-1760

Icicle Seafoods, Inc.  
Attention: Mike Clutter  
4019 - 21<sup>st</sup> Avenue West  
Seattle, Washington 98199

Dear Mr. Clutter:

This is in response to your application for a Department of the Army (DA) permit modification to conduct a raking operation to reduce the zone of discharge of a fish waste pile from the M/V Northern Victor processing facility. The project site is located within Section 30, T. 74 S., R. 116 W., Seward Meridian, USGS Quad Unalaska B-1, Latitude 53.7332° N., Longitude 166.3282° W.; in Udagak Bay, south of Unalaska, Alaska. The file number is POA-2006-1760, Udagak Bay, which should be referred to in future correspondence with this office. We have determined your proposal may be conducted under the authority of the nationwide permit (NWP) outlined below.

DA permit authorization is necessary because your project would involve work in waters of the U.S. under our regulatory jurisdiction. This approved jurisdictional determination (JD) is valid for five years from the date of this letter, unless new information supporting a revision is provided to us before the expiration date. Enclosed is a Notification of Administrative Appeal Options and Process and Request for Appeal form regarding this approved JD (see section titled "Approved JD").

Based upon the information and plans you provided, we hereby verify that the work described above, which would be performed in accordance with the enclosed plan, 4 Sheets dated April 2008, is authorized by NWP 38, Cleanup of Hazardous & Toxic Waste. This NWP and its associated Regional and General Conditions can be accessed at our website at [www.poa.usace.army.mil/reg](http://www.poa.usace.army.mil/reg) or, at your request, a paper copy will be provided to you. You must comply with all terms and conditions associated with NWP, and please note that Regional Conditions A and B apply specifically to your project.

Further, please note General Condition 26 requires that you submit a signed certification to us once any work and required mitigation are completed. Enclosed is the form for you to complete and return to us.

This verification will be valid for two years from the date of this letter, unless the NWP authorization is modified, suspended, or revoked.

Nothing in this letter excuses you from compliance with other Federal, State, or local statutes, ordinances, or regulations.

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Thank you for your cooperation with the Corps of Engineer's Regulatory Program. If you have any questions, please contact me via email at [jack.j.hewitt@usace.army.mil](mailto:jack.j.hewitt@usace.army.mil), or in writing at the letterhead address, by phone at (907) 753-2708 or by FAX at (907) 753-5567. For additional information about our regulatory program, visit our web site at <http://www.pos.usace.army.mil/reg>.

Sincerely,

  
Jack Hewitt  
Project Manager

Enclosures